

VICTIM SERVICES AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill amends provisions related to victim services.

Highlighted Provisions:

This bill:

- ▶ establishes the duties of the Utah Office for Victims of Crime (office);
- ▶ requires the office to create a committee to advise the office;
- ▶ creates a reporting requirement; and
- ▶ authorizes the Crime Victim Reparations and Assistance Board (board) to make

rules regarding eligibility criteria, training requirements, and other standards for
entities that receive grant funding from the board.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63M-7-506, as last amended by Laws of Utah 2020, Chapter 149

ENACTS:

63M-7-505.5, Utah Code Annotated 1953**63M-7-505.6**, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63M-7-505.5** is enacted to read:

63M-7-505.5. Duties of the office.

The office shall:

- (1) administer reparation awards and procedures in accordance with this part;
- (2) administer any grants obtained under Subsection 63M-7-507(3)(i);
- (3) routinely assess the needs of crime victims and victim services statewide;
- (4) develop and routinely update strategic plans for a coordinated statewide victim services delivery model and infrastructure;
- (5) support, facilitate, coordinate, and conduct training for victim advocates and service providers;
- (6) recommend victim advocate training and credentials to the board that:
 - (a) reasonably ensure an individual working or volunteering with a victim of crime as a victim advocate is competent to act as a victim advocate;
 - (b) do not create undue financial or administrative hardship for a victim advocate or a victim service provider;
 - (c) promote and elevate victim advocacy and victim services as a profession;
 - (d) consider current state and national standards that inform and strengthen professional practice and are current with best practices;
 - (e) do not conflict with or undermine a victim advocate's licensing or other professional accreditation; and
 - (f) do not conflict with an organization's funding requirements;
- (7) report quarterly to the board regarding:
 - (a) the needs of crime victims and victim services statewide; and
 - (b) the coordinated statewide victim services delivery model and infrastructure; and
- (8) before September 1, report to the governor, the Judiciary Interim Committee, the Law Enforcement and Criminal Justice Interim Committee, the Executive Offices and Criminal Justice Appropriations Subcommittee, and the Social Services Appropriations Subcommittee, regarding the needs of victims and victim services statewide, including needed funding or legislation to establish, enhance, or maintain:

59 (a) victim services in the state; and
60 (b) the reasonable and basic resources for a coordinated statewide victim services
61 delivery model and infrastructure.

62 Section 2. Section **63M-7-505.6** is enacted to read:

63 **63M-7-505.6. Crime Victim Services Strategic Planning Committee.**

64 (1) The office shall create a committee known as the Crime Victim Services Strategic
65 Planning Committee.

66 (2) The committee shall consist of the following members:

67 (a) two individuals who have been victims of crime who shall be appointed by the
68 office;

69 (b) the executive director of the Department of Health and Human Services or the
70 executive director's designee;

71 (c) the director of the Utah Office on Domestic and Sexual Violence;

72 (d) the chair of the Utah Council on Victims of Crime, or the chair's designee;

73 (e) the children's justice centers program administrator, or the administrator's designee;

74 (f) a representative from each Native American tribe located in Utah who shall be
75 appointed by the leadership of the representative's tribe;

76 (g) the executive director of Utah's state sexual assault coalition as defined in 34
77 U.S.C. Sec. 12291, or the executive director's designee;

78 (h) the executive director of Utah's tribal coalition as defined in 34 U.S.C. Sec. 12291,
79 or the executive director's designee;

80 (i) the executive director of Utah's state domestic violence coalition as defined in 45
81 C.F.R. Sec. 1370.2, or the executive director's designee; and

82 (j) any other individual appointed by the office.

83 (3) (a) Members appointed by the office shall serve a term set by the office.

84 (b) The office shall determine the number of members that constitute a quorum for the
85 committee.

86 (4) The committee shall advise the office regarding the duties described in Subsections
87 63M-7-505.5(3), (4), (5), and (6).

88 Section 3. Section **63M-7-506** is amended to read:

89 **63M-7-506. Functions of board.**

(1) The board shall:

(a) adopt a description of the office and prescribe the general operation of the board;

(b) prescribe policy for the office;

(c) adopt rules to implement and administer this part in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, which may include setting of ceilings on reparations, defining of terms not specifically stated in this part, and establishing of rules governing attorney fees;

(d) prescribe forms for applications for reparations;

(e) review all reparations awards made by the reparations staff, although the board may not reverse or modify reparations awards authorized by the reparations staff;

(f) render an annual report to the governor and the Legislature regarding the staff's and the board's activities;

(g) cooperate with the director and the director's staff in formulating standards for the uniform application of Section [63M-7-509](#), taking into consideration the rates and amounts of reparation payable for injuries and death under other laws of this state and the United States;

(h) allocate money available in the fund to victims of criminally injurious conduct for reparations claims;

(i) allocate money available to other victim services as provided by administrative rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, once a sufficient reserve has been established for reparation claims; ~~and~~

(j) approve the allocation and disbursement of funds made available to the office by the United States, the state, foundations, corporations, or other entities or individuals to subgrantees from private, non-profit, and governmental entities operating qualified statewide assistance programs[-];

(k) review recommendations provided to the board in accordance with Section [63M-7-505.5](#); and

(l) if determined necessary by the board and in accordance with Title 63G, Utah Administrative Rulemaking Act, make rules that establish:

(i) additional criteria an entity described in Subsection (1)(j) shall meet before receiving funding; or

(ii) based on recommendations received in accordance with Section [63M-7-505.5](#),

121 standards and training requirements that an entity that receives funds under Subsection (1)(i)
122 shall implement for the entity's employees and volunteers.

123 (2) All rules, or other statements of policy, along with application forms specified by
124 the board, are binding upon the director, the reparations officers, assistance officers, and other
125 staff.